

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

RBX CAPITAL, LP,

Plaintiff,

v.

XORAX FAMILY TRUST, et al.,

Defendants.

CIVIL ACTION

NO. 21-3774

ORDER

AND NOW, this 25th day of March, 2022, upon consideration of Defendants Xorax Family Trust, Zeeshan Saeed and Reshan Saeed's Motion to Dismiss Plaintiff RBX Capital, LP's Complaint (ECF 8), Plaintiff's Response (ECF 9) and Defendants' Reply (ECF 10), and consistent with the accompanying Memorandum of Law, it is **ORDERED** that the Motion is **GRANTED** and:

1. RBX's claims against Reshan Saeed are **DISMISSED** for lack of personal jurisdiction pursuant to Federal Rule of Civil Procedure 12(b)(2);

2. RBX's breach of contract claim (Count I) and its conversion claim (Count II) are **DISMISSED** against Zeeshan Saeed and Xorax pursuant to Federal Rule of Civil Procedure 12(b)(6);

3. RBx's unjust enrichment claim (Count III) is **DISMISSED** against Zeeshan Saeed pursuant to Federal Rule of Civil Procedure 12(b)(6);

5. RBx may amend his claims against Reshan Saeed if it can allege facts to support the Court's exercise of personal jurisdiction. RBx may amend its other dismissed claims if it can allege facts stating a plausible claim for relief. Any Amended Complaint shall be filed on or before **Friday, April 15, 2022**. If RBx instead intends to

stand on its remaining unjust enrichment claim against Xorax, it shall so inform the Court on or before that date.

BY THE COURT:

/s/ Gerald J. Pappert
GERALD J. PAPPERT, J.